

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILLIAM MOSLEY, #739875,

Petitioner,

v.

CASE NO. 12-CV-13235
HONORABLE MARK A. GOLDSMITH

SHIRLEE HARRY,

Respondent.

**ORDER GRANTING PETITIONER'S MOTION FOR VOLUNTARY DISMISSAL
AND DISMISSING HABEAS CLAIMS IV THROUGH X**

Michigan prisoner William Mosley ("Petitioner") has filed a pro se amended petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 challenging his state court convictions and sentences in this newly-reopened case. Respondent has filed a supplemental answer to the amended habeas petition asserting, in part, that Petitioner's fourth through tenth habeas claims, which were first presented to the state courts in his motion for relief from judgment, are untimely. This matter is before the Court on Petitioner's motion for voluntary dismissal of those habeas claims. Petitioner agrees with Respondent that his fourth through tenth claims are untimely on habeas review and subject to dismissal. Having considered the matter, the Court finds that Petitioner should be allowed to voluntarily dismiss his untimely claims. Accordingly, the Court grants Petitioner's motion and dismisses with prejudice his fourth through tenth habeas claims. The Court shall proceed on Petitioner's remaining habeas claims and issue a ruling in a forthcoming opinion.

SO ORDERED.

Dated: January 22, 2018
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on January 22, 2018.

s/Karri Sandusky
Case Manager